

REMARKS/ARGUMENTS

In response to the final Office Action dated November 24, 2009, Applicants respectfully request reconsideration and allowance of the instant application based upon the amendment and arguments presented herein. Claims 2-10 and 12-20 remain in this application.

Rejections under 35 U.S.C. § 103

Claims 2-10 and 12-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,301,944 to Redmond et al (“Redmond”) in view of U.S. patent no. 5,999,629 to Heer et al. (“Heer”). Applicants respectfully traverse these rejections.

Applicants submit that Redmond does not qualify as prior art to the instant application. The instant application is a continuation application of 09/850,231, filed on May 7, 2001, now U.S. Patent No. 6,681,326, which is a continuation of application No. 09/267,800, filed on March 12, 1999, now U.S. Patent No. 6,229,895. Accordingly, the instant application is entitled to the effective filing date of March 12, 1999 pursuant to 35 U.S.C. § 120. Redmond was filed on April 16, 1999, and is a continuation-in-part of application 08/956,743, filed on October 24, 1997, now U.S. Patent No. 6,370,139 ('139 patent). Significantly, the subject matter of Redmond relied upon by the Office in the rejection such as the subject matter related to encryption is not disclosed in the '139 patent. Thus, the relied upon subject matter of Redmond is only entitled to a filing date of April 16, 1999 and thus does not qualify as prior art to the instant application. Accordingly, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Appln. No.: 10/695277
Reply to Office Action dated November 24, 2009

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: January 25, 2010

By: /Gary D. Fedorochko/

Gary D. Fedorochko

Registration No. 35,509

1100 13th Street, N.W., Suite 1200
Washington, D.C. 20005-4051
Tel: (202) 824-3000
Fax: (202) 824-3001